

FILED
U.S. DISTRICT COURT

2011 OCT 25 P 2:50

DISTRICT OF UTAH

BY: DEPUTY CLERK

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

RONALD J. CHILTON and DAVID L.
GLAZIER,

Plaintiff,

vs.

ALLEN K. YOUNG, et al.,

Defendants.

ORDER ADOPTING REPORT &
RECOMMENDATION

Case No. 2:10-CV-699
Judge Dee Benson

Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul Warner on October 3, 2011, recommending that this court: (1) grant Attorney Defendants' motions to dismiss Plaintiffs' first amended complaint; (2) deem Attorney Defendants' motion to dismiss Plaintiffs' proposed second amended complaint moot; (3) grant Judge Roth's motion to dismiss; (4) grant Schmutz's motion to dismiss; (5) deny Attorney Defendants' motion for sanctions; (6) deny Plaintiffs' motions "to strike" and "to deny"; (7) deem Plaintiffs' motion for enlargement of time moot; (8) deny Plaintiffs' motions for leave to


file a second amended complaint; (9) deny Plaintiffs' motion to strike and supplement a portion of one of their motions for leave to amend; (10) deny Plaintiffs' motion for an order to deem material facts undisputed; and (11) the Clerk of Court enter judgment against Plaintiffs and close this case.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On October 14, 2011, the Plaintiffs Chilton and Glaizer filed their "Objection to Magistrate's Report and Recommendations" (Dkt. No. 87) as well as a "Motion to Vacate Report and Recommendations." (Dkt. No. 88.)

Having reviewed all relevant materials, including Plaintiffs' *pro se* objection, Plaintiffs' motion to vacate, the record that was before the magistrate judge, and the reasoning set forth in the magistrate judge's Report and Recommendation, the court agrees with the analysis and conclusion of the magistrate judge. Accordingly, the court ADOPTS the Report and Recommendation and issues the following Order. The Attorney Defendants' motions to dismiss Plaintiffs' first amended complaint is GRANTED. The Attorney Defendants' motion to dismiss Plaintiffs' proposed second amended complaint is MOOT. Judge Roth's motion to dismiss is GRANTED. Schmutz's motion to dismiss is GRANTED. The Attorney Defendants' motion for sanctions is DENIED. Plaintiffs' motion "to strike" and "to deny" is DENIED. Plaintiffs' motion for enlargement of time is MOOT. Plaintiffs' motions for leave to file a second amended complaint be DENIED. Plaintiffs' motion to strike and supplement a portion of one of their motions for leave to amend be DENIED. Plaintiffs' motion for an order to deem material facts

as undisputed by DENIED. The Clerk of the Court shall enter judgment against Plaintiffs and close this case.

DATED this 16th day of October, 2011.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Dee Benson
United States District Judge